APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,154	02/27/2004	Seung-don Lee	1793.1163	4622

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EXAMINER
MCLEAN, NEIL R

ART UNIT	PAPER NUMBER
2625	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Advisory Action **Before the Filing of an Appeal Brief**	10/787,154	LEE ET AL.
	Examiner	Art Unit
	Neil R. McLean	2625

--*The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

THE REPLY FILED <u>20 October 2008</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: <u>1-35</u>.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.

13. ☐ Other: _____.

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625

Continuation of 11. does NOT place the application in condition for allowance because: The Examiner notes that applicant has amended claims 1, 4, 5, 10, 15, 18, 19, 24, 28 and 31 and acknowledges that the amendments are largely due to taking some of the dependent limitations and adding them to independent claims 1, 15, 28 and 31. The Examiner does note, however, that the newly added limitation to Claim 31 is not from one of the claims which depend from Claim 31, but does acknowledge that this is the same limitation which was added to independent Claims 1, 15 and 28.

With respect to Applicant's Argument:

"Inoue teaches selecting a number of image pixels, but does not teach or suggest detecting a specified compression ratio corresponding to a printing mode selected by a user from compression ratios corresponding to a variety of printing modes; and compressing the image data according to the detected specified compression ratio, wherein a variety of printing modes provide varying settings to account for factors including at least one of a degree of an image quality and a type of image data"

Examiner's Response:

Inoue discloses a method of compressing image data (An image quality selecting method and a digital camera by which a pattern of a combination of the number of pixels and the compression rate can be presented to the user to select a combination for an image quality; [0007], lines 1-9) comprising:

detecting a specified compression ratio corresponding to a display mode (e.g., The Fine mode corresponds with 1/4 JPEG compression, the Normal mode corresponds with 1/8 JPEG compression, and the Basic mode corresponds with (1/16) JPEG compression as described in [0066], lines 8-11) selected by a user (When the item "image quality setting" is selected by the right key 30, the left key 30, or the up/down lever 32, a menu screen for image quality setting is displayed as shown in FIG. 7a) from compression ratios corresponding to a variety of display modes (The number of imaging pixels can be selected from 2400x1800, 1280x960, and 640x480; the image compression rates can be selected from the three types: Fine mode, Normal mode, and Basic mode as described in [0066], lines 1-4); and

compressing the image data according to the detected specified compression ratio (See Compressing/Decompressing Circuit 82 in Figure 6 as described in [0054], lines 10-11).

Inoue et al. discloses all of the above including a video out (54 in Figure 5), a USB terminal (58 in Figure 5) and wherein an image file can be read out of the device memory and displayed on a display such as a LCD monitor or TV (As described in [0059] lines 6-7).

Inoue et al. further discloses wherein the variety of printing modes provide varying settings to account for factors including at least one of a degree of an image quality, a type of a printing paper, a type of image data, and a printing color (FIGS. 7(a), 7(b), 7(c), 7(d) and 7(e) are views showing states where setting screens (menu screens) for an imaae quality are changed).

Inoue et al. does not expressly disclose wherein one of the display modes is a print mode.

Tanaka et al. discloses wherein one of the display modes is a print mode (By selecting the print menu 92, a printing paper size, color/monochrome printing, the type of paper (plain paper, fine paper, or the like) used for printing, unframed/framed printing and the like, can be designated as described in Column 8, lines 5-10).

Inoue et al. & Tanaka et al. are combinable because they are from the same field of endeavor of image processing: e.g., both art contain image quality selection methods.

At the time of the invention it would have been obvious to one of ordinary skill in the art to employ a print mode selected by the user. The suggestion/motivation for having a print mode selected by the user for printing an image by connecting a device such as a camera and a printer directly via a cable or wireless communication without a PC is because it is easier, faster and convenient to print image data since there are fewer steps required such as booting up a computer, launching software and transferring the image data to the PC before printing. Therefore, it would have been obvious to combine the print mode selected by the user of Tanaka et al. with the Image Quality Selecting Method of Inoue et al.'s to obtain the invention specified in order to directly transmit digital image data photographed by a digital camera to a color printer.

The Examiner respectfully disagrees with the applicant that the combination of Inoue and Tanaka do not teach or suggest amended independent claims 1, 15, 28, and 31.

Inoue teaches an image quality selecting method for a digital camera, and Tanaka discloses an imaging apparatus and control method for connecting a digital camera to a printer. Both references disclose methods of improving image quality.

Both methods disclose methods of processing data within the camera itself instead of using a pc. Tanaka further discloses in the background of invention the need for a print mode that can be designated by/within the camera itself (Column 2, lines 18).

In Summary, the Examiner respectfully disagrees with the applicant's basis that the combination of Inoue and Tanaka do not teach or suggest the amended claims.

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